## Zoning Law for Town of Middleburgh Table of Contents

Article I	1
<ul><li>1.1 Title</li><li>1.2 Enactment</li><li>1.3 Purposes in View</li><li>1.4 Scope</li></ul>	1 1 1 1
Article II Use and Interpretation of Words	2
<ul><li>2.1 General</li><li>2.2. Definitions</li></ul>	2 2
Article III Districts and Official Map	3
<ul><li>3.1 Zoning Districts</li><li>3.2 Official Zoning Map</li><li>3.3 Interpretation of Districts Boundaries</li><li>3.4 District Boundaries</li></ul>	3 3 3 3
Article IV Regulations and Standards	7
<ul> <li>4.1 Use Schedule</li> <li>4.2 Land Use Activities</li> <li>4.3 Special Conditions and Special Use Permits</li> <li>4.4 Supplementary Use Regulations</li> <li>4.5 Yards (set in the area schedule, and defined)</li> <li>4.6 Signs</li> <li>4.7 Off-street Parking</li> <li>4.8 Off-street Loading</li> <li>4.9 Activity Standards for Noisome and Injurious Substances Conditions and Operations</li> </ul>	7 7 7 7 7 19 20 21 22 3,
Article V Nonconforming Buildings, Uses, and Activities	24
<ul><li>5.1 Continuation of Existing Uses</li><li>5.2 Maintenance and Repair</li><li>5.3 Reconstruction and Restoration</li><li>5.4 Changes</li></ul>	24 24 24 24

5.5 Abandonment or Discontinuance	24
5.6 Public Properties	25
5.7 Lot in Different Districts	25
5.8 Buildings on Small Lots	25
5.9 Regulation of Temporary Storage Units	26
Article VI	
Miscellaneous Provisions	28
6.1 Compliance with Law	28
6.2 Precedence	28
6.3 Existing, Prior Permits, Certificates and Variances	28
6.4 Remedies	28
6.5 Separate Validity	29
6.6. Effective Date	29
Attachment I	
District Regulations	30
Attachment II	
Definitions	32
Attachment III	
Administration	40
1.0 Enforcement Officer	40
1.1 Entry and Inspection	40
1.2. Violations	40
1.3 Building Permits	42
1.4 Certificate of Compliance	42
1.5 Fees	43
1.6 Health Department Requirements	43
Board of Appeals	44
2.0 Board of Appeals	44
2.1General Provisions	44
2.2 Authority	45
2.3 Appeals	45
2.4 Interpretation	45
2.5 Use Variances	45
2.6 Area Variances	46
2.7 Financial Gain, Conditions, Compliance Fees	47
Procedure for Appeals	48

3.0 Procedure for Appeals	48
3.1 Appeals	48
3.2 Public Hearing	48
3.3 Notices and Referrals	48
3.4 Findings and Conclusions	48
3.5 Reporting and Filing of Decisions, Permits and Variances	48
3.6 Rehearing and Reversal	49
Site Plan Review	49
4.0 Site Plan Review	49
4.1 Site Plan Review	49
4.10 Waivers	49
4.2 Sketch Plan	49
4.3 Application for Site Plan Approval	50
4.4 Review of Site Plan	51
4.5 Planning Board Action on Site Plan	51
4.6 Reimbursable Costs	51
4.7 Performance Guarantee	51
4.8 Inspection of Improvements	52
4.9 Integration of Procedures	52
Amendments to Zoning Law	52
5.0 Amendments to Zoning Law	52
5.1 Amendments by Town Board	52
5.3 Public Notice and Hearing	52
5.4 Referral to the County Planning Commission	53
5.5 Effective Date	53
5.6 Protest	53
5.7 Zoning Change in Subdivision Approval	53
5.8 Fee	54
Planned Development Districts	54
6.0 Procedure for Planned Developments District	54
6.1 Planned Development Guidelines	56
6.2 Subdivision in a Planned Development	56
Special Use Permits	56
7.0 Special Use Permits	56
7.1 Standard Applicable to All Special Use Permits	57
7.2 Required Findings	57
7.3 Renewal, Time Limit, and Extension	57
7.4 Submission of Plans	57

7.5 Fee	58
7.6 Application for Area Variance	58
7.7 Special Use Permits for Telecommunications Fac	eilities 58
Wind Energy Facility	64
8.1 Title	64
8.2 Purpose	64
8.3 Authority	64
8.4 Applicability	64
8.5 Permits	64
8.6 Waivers	65
8.7 Enforcement and Penalties	65
8.8 Severability	65
8.9 Effective Date	65
8.10 Definitions	66
8.11 Application Requirements	67
8.12 Application Review Process	71
8.13 Wind Energy Facility Development Standards	72
8.14 Required Site Safety Measures	73
8.15 Traffic Routes and Road Maintenance	74
8.16 Setbacks & Noise	74
8.17 Noise and Setback Easements	75
8.18 Issuance of Wind Energy Facility Permits	75
8.19 Abatement	76
8.20 Limitations on Approvals	76
8.21 Permit Revocation	76
8.22 Wind Measurement Towers	77
8.23 Small Wind Turbines	78
8.24 Fees	78
8.25 Tax Exemption	79

## **ZONING MAP ATTACHED AT END**